IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.6366 of 1998

Between:

APSRTC, rep by its Managing Director,
Mushirabad, Hyderabad.

..... PETITIONER

AND

1 State Transport Appellate Tribunal, rep by its Presiding Officer.
A.P., Hyderabad,
2 The Regional Transport Authority, Rep by its Secretary.
Ongole, Prakasam District,
3 K.Srihari Naidu, S/o Ramaiah Naidu,
D.NO.4-66, Singarayakonda, Prakasam Dist.
(Writ Petition as against R3 is dismissed for default as per the court

order dt.5/9/2001)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, especially in the nature of a Writ of Certiorari calling for the records relating to the impugned order dt.12.9.97 made in MP No.230/92 in C.NO.642/92 on the file of the State Transport Appellate Tribunal, AP, Hyderabad refusing to condone delay of 48 days in presentation of C.NO.642/92, and quash the same and condone such delay or, in the alternative, direct the 1st respondent to condone such delay.

Counsel for the Petitioner: MR. K. HARINATH

Counsel for the Respondents 1 and 2: GP FOR TRANSPORT

The Court made the following:

ORDER:

The writ petition is filed questioning the order passed in M.P.No.230 of 1992 in C.No.642 of 1992 dated 12-9-1997 dismissing the petition refusing to condone the delay of 48 days in presentation of C.No.642 of 1992.

The third respondent herein was granted permit with regard to item No.84 in R.No.10794/A2/91. Questioning the said order, the writ petitioner filed a review in C.No. 642 of 1992 with a delay condonation petition in M.P.No.230 of 1992 and the same was dismissed by order dated 12-9-1997. Questioning the said order, the present writ petition is filed.

Though, the writ petition is filed questioning the order passed in M.P. No. 230 of 1992, the main relief is sought against the third respondent, against whom the writ petition was dismissed for default by order dated 5-9-2001. The writ petitioner has not taken any steps to restore the writ petition as against the third respondent to whom originally the permit in question was granted, which gave rise to filing of the present writ petition. Hence, I see no reason to proceed further in the matter.

Accordingly, the writ petition is dismissed.

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N.V. RAMANA, J.

Date: 24.02.2005

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To

1 The Presiding Officer, State Transport Appellate Tribunal,
A.P., Hyderabad,
2 The Secretary, Regional Transport Authority,
Ongole, Prakasam District,

3).. Managing Director, APSRTC, Musheerabad, Hyderabad

4 Two CCs to GP for Transport, High Court of AP, Hyderabad (OUT)

5 2 CD copies

6).. 1 CC to Mr.Kallakuri Srinivasa Rao

*Form-NIC-OGS/WP{**SAM**}*